

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

IN RE:)	
)	
SAVI TECHNOLOGY, INC.)	Case No. 21-11369-BFK
)	Chapter 11
Debtor)	

MOTION TO AUTHORIZE THE USE OF CASH COLLATERAL

COMES NOW Savi Technology, Inc. (the “Debtor”), debtor and debtor-in-possession in the above-captioned case, by counsel, and hereby moves this Court pursuant to Fed. R. Bankr. P. 4001(b) and 11 U.S.C. §§ 105(a), 361 and 363 for the entry of an interim order approving the use of cash collateral, and in support thereof, states as follows:

Background

1. On August 4, 2021 (the “Petition Date”), the Debtor was indebted to Eastward Fund Management, LLC (“Eastward”) in the original aggregate amount of \$5,000,000.00 as the result of a Master Lease Agreement dated November 5, 2018 (the “Loan Documents”). The Loan Documents provided that the money lent would be secured by a lien on substantially all of the Debtor’s assets, including its accounts, and thereafter, Eastward filed a certain UCC-1 Financing Statement in order to perfect its lien.

Benjamin P. Smith (VSB 90430)
Michael J. Lichtenstein (*pro hac vice* pending)
Shulman, Rogers, Gandal, Pordy & Ecker, P.A.
12505 Park Potomac Avenue, Suite 600
Potomac, Maryland 20854
TEL: (301) 230-5241 (Smith)
(301) 230-5231 (Lichtenstein)
FAX: (301) 230-2891
Email: bsmith@shulmanrogers.com
mjl@shulmanrogers.com
Counsel for the Debtor

STATEMENT OF RELIEF REQUESTED

2. In accordance with Fed. R. Bankr. P. 4001(b)(1)(B), the following is a concise statement of the relief requested:

a. Parties with Interest in Cash Collateral. The following entities claim a security interest in and liens on Debtor's assets, including: (i) accounts receivable; and (ii) any other cash collateral as defined in § 363(a) ("Cash Collateral"): Eastward and other subordinated secured creditors.

b. Purposes for the Use of Cash Collateral. Debtor proposes to use Cash Collateral for general corporate purposes, such as operating costs and payment of its normal operating expenses. Debtor represents that the use of its Cash Collateral is essential to its continued operation and its effective reorganization.

c. Termination. Debtor's use of Cash Collateral shall terminate 90 days after entry of the Interim Order.

3. The Debtor desires to use its accounts, including its receivables in the normal course of its business and it represents that the use of its accounts and receivables is essential to its continued operation and its effective reorganization.

4. The Debtor and Eastward have agreed to the use of cash collateral on the terms embodied in the Order attached to this Motion, including replacement liens and adequate protection payments.

5. The entry of the proposed Order will permit the Debtor's uninterrupted use of the accounts and receivables.

WHEREFORE, the Debtor prays that the Court enter the proposed Interim Order with this Motion, and for such other relief as may be needed.

Respectfully submitted,

SAVI TECHNOLOGY, INC.

By Counsel

**SHULMAN, ROGERS, GANDAL,
ORDY & ECKER, P.A.**

By: /s/ Benjamin P. Smith
Benjamin P. Smith (VSB No. 90430)
Michael J. Lichtenstein (*pro hac vice* pending)
12505 Park Potomac Avenue, Sixth Floor
Potomac, Maryland 20854
TEL: (301) 230-5241 (Smith)
(301) 230-5231 (Lichtenstein)
FAX: (301) 230-2891
Email: bsmith@shulmanrogers.com
mjl@shulmanrogers.com

Counsel for Debtor

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a copies of the foregoing **Motion for the Entry of an Interim Order Authorizing the Use of Cash Collateral, Notice and proposed Order** were mailed first class, postage prepaid, this 5th day of August, 2021, to:

U.S. Social Security Administration
Office of the General Counsel, Region II
300 Spring Garden Street
Philadelphia, PA 19123

U.S. Environmental Protection Agency
Attn: Bettina Dunn, Paralegal (3RC60)
US EPA Region 3
Office of Regional Counsel
1650 Arch Street
Philadelphia, PA 19103

U.S. Securities and Exchange Commission
Office of Reorganization
950 East Paces Ferry Road, NE, Suite 900
Atlanta, GA 30326-1382

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

John P. Fitzgerald, III
Office of the United States Trustee
1725 Duke Street, Suite 650
Alexandria, VA 22314

Richard E. Hagerty, Esquire
Charles P. Charpentier, Esquire
Troutman Pepper Hamilton Sanders LLP
401 9th Street, NW, Suite 1000
Washington, DC 20004
Counsel for Secured Lender

20 Largest Unsecured Creditors Listed Below

Amazon Web Services, Inc.
P.O. Box 84023
Seattle, WA 98124-8423

BDO USA LLP
P.O. Box 642743
Pittsburgh, PA 15264-2743

J. Richard Carlson
13882 Lewis Mill Way
Chantilly, VA 20151

City of Alexandria
Attn: Treasury Division
P.O. Box 34901
Alexandria, VA 22334

Cooley LLP
101 California Street, 5th Floor
San Francisco, CA 94111

Elecsys Mfg Corp.
Lot 1B, Block 6, Phase II
Pezar Rosario Cavite 4106
PHILLIPINES

First Source Electronics, LLC
6650 Business Parkway
Elkridge, MD 21075

Benjamin Harris
11449 Rothbury Square
Fairfax, VA 22030

Rosemary T. Johnston
940 Chesapeake Place
Greenville, NC 27858

LB&B Associates
9891 Broken Land Parkway, Suite 400
Columbia, MD 21046

Oracle America, Inc.
500 Oracle Parkway
Redwood City, CA 94065

ORBCOMM
395 West Passaic Street, #325
Rochelle Park, NJ 07662

QBURST Technology Inc.
4414 Roundtree Lane
Missouri City, TX 77459

Silicon Valley Bank (Mastercard)
P.O. Box 660254
Dallas, TX 75266

Small Business Administration
Office of Disaster Assistance
14925 Kingsport Road
Fort Worth, TX 76155

Jay D. Stamm
980 Kirksville Road
Richmond, KY 40475

T.Y. Lin International
345 California Street
Suite 2300
San Francisco, CA 94104

Weiner Brodsky Kider PC
1300 19th Street, NW, 5th Floor
Washington, DC 20036

Wrobel Markham LLP
360 Lexington Avenue, Suite 1502
New York, NY 10017

Wyntron Inc f/k/a DKP MFG Inc.
PEZA, Lot 9, Block 15, Phase III
Rosario, Cavite 4106
PHILLIPINES

/s/ Benjamin P. Smith
Benjamin P. Smith